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IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

PER

RMP.  
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DAVID GALLOWAY,  
Plaintiff  
  
vs.  
  
PENNSYLVANIA BOARD OF  
PROBATION AND PAROLE,  
Defendants

CIVIL ACTION 1:00-CV-00649

Assigned to  
✓ Magistrate Judge J. Andrew Smyser  
and Judge Sylvia H. Rambo

MOTION TO DISMISS

AND NOW, comes Defendant Robert B. Stewart, III, Esquire, by and through counsel, and hereby requests this Court to dismiss the Plaintiff's Complaint pursuant to Rule 12(b) of the Federal Rules of Civil Procedure. A brief in support of this Motion will be filed within time period permitted by the local rules.

Respectfully submitted,

HENRY CORCELIUS GATES GILL & ODY



Peter M. McManamion  
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Attorney for Defendant Robert B. Stewart

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GAIL GALLOWAY,	:	CIVIL ACTION 1:00-CV-00649
Plaintiff	:	
vs.	:	Assigned to:
PENNSYLVANIA BOARD OF	:	Magistrate Judge J. Andrew Smyser
PROBATION AND PAROLE,	:	and Judge Sylvia H. Rambo
Defendants	:	

CERTIFICATE OF NON-CONCURRENCE

I, Peter M. McManamon, hereby certify that I contacted counsel for the other defendants in this matter as follows:

Anne K. Fiorenza, counsel for William W. Caldwell, concurs in this motion.  
Francis Filipi, counsel for the remaining defendants, with the exception of Charles Giornesto, concurs in this motion.

I attempted to contact Gail Galloway and Charles Giornesto, but was unable to do so. Both are unrepresented by counsel.

HENRY CORCELIUS GATES GILL & ODY



Peter M. McManamon  
Attorney for Defendant Robert B. Stewart